Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 2, 2025 11:45:38 AM
From: [redacted] Représentants [redacted]
Sent: Mon, 10 Mar 2025 19:35:44
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: IEC move to 204(d) impact on FSW and FSTP eligibility - REP-2025-0314 - Due 19-Mar-25
Importance: Normal
Sensitivity: None

Hello,

[redacted] to Immigration, Refugees and Citizenship Canada's Immigration Representatives mailbox. We appreciate your patience.

Question:

Does the change of IEC work permit holders to 204(d) now mean that they are no longer eligible for arranged employment points under the Federal Skilled Worker selection grid unless their employer first obtains an LMIA?

Does the change of IEC work permit holders to 204(d) now mean that they are no longer eligible for the Federal Skilled Trade program based on their Canadian work permit and must now have a Certificate of Qualification unless their employer obtains an LMIA?

Answer:

The International Experience Canada (IEC)'s authority to issue work permits transitioned from paragraph 205(b) to paragraph 204(d) of the Immigration and Refugee Protection Regulations (IRPR) on December 18, 2024.
Arranged employment selection criteria points for the Federal Skilled Worker Program are described in subsection 82(2) of IRPR. To be awarded selection criteria points under 82(2)(b), an applicant must hold a work permit that was issued under the circumstances described in paragraph 204(a) or (c) or in section 205. IEC work permits issued under paragraph 204(d) on or after December 18, 2024 will not meet these requirements. Holders of such permits may qualify for arranged employment based on an LMIA.

Arranged employment requirements for the members of the Federal Skilled Trades class are described in paragraph 87.2(3)(d). To meet the requirements under 87.2(3)(d)(iii) an applicant must hold a work permit that was issued under the circumstances described in paragraph 204(a) or (c) or in section 205. IEC work permits issued under paragraph 204(d) on or after December 18, 2024 will not meet these requirements. Holders of such permits may qualify for arranged employment based on an LMIA.

Please be advised that the assessment of an application is conducted on a case-by-case basis, taking into consideration the specific circumstances and the supporting documentation available to the officer. It is the applicant's responsibility to provide sufficient documentation to demonstrate that they meet the requirements.
We trust that this information will be of assistance to you.

Sincerely,

Immigration Representatives Mailbox

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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De :
Envoyé : 30 janvier 2025 08:43
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted]
Objet : IEC move to 204(d) impact on FSW and FSTP eligibility

[redacted]

Does the change of IEC work permit holders to 204(d) now mean that they are no longer eligible for arranged employment points under the Federal Skilled Worker selection grid unless their employer first obtains an LMIA?

Does the change of IEC work permit holders to 204(d) now mean that they are no longer eligible for the Federal Skilled Trade program based on their Canadian work permit and must now have a Certificate of Qualification unless their employer obtains an LMIA?

(2) Ten points shall be awarded to a skilled worker for arranged employment if they are able to perform and are likely to accept and carry out the employment and

- * (a) the skilled worker is in Canada and holds a work permit that is valid on the date on which their application for a permanent resident visa is made and, on the date on which the visa is issued, holds a valid work permit or is authorized to work in Canada under section 186 and
    - * (i) the work permit was issued based on a positive determination made by an officer under subsection 203(1) with respect to the skilled worker's employment with their current employer in an occupation that is listed in TEER Category 0, 1, 2 or 3 of the *National Occupational Classification* and the assessment by the Department of Employment and Social Development on the basis of which the determination was made is not suspended or revoked,
    - * (ii) the skilled worker is working for an employer specified on the work permit, and
    - * (iii) that employer has offered arranged employment to the skilled worker;
- * (b) the skilled worker is in Canada and holds a work permit that was issued under the circumstances described in paragraph 204(a) or (c) or in section 205 and is valid on the date on which their application for a permanent resident visa is made and, on the date on which the visa is issued, holds a valid work permit or is authorized to work in Canada under section 186 and
    - * (i) the skilled worker is working for an employer specified on the work permit,
    - * (ii) that employer has offered an arranged employment to the skilled worker, and
    - * (iii) the skilled worker has accumulated at least one year of full-time work experience, or the equivalent in part-time work, over a continuous period of work for that employer;

https://laws.justice.gc.ca/eng/regulations/SOR-2002-227/page-12.html#h-686736

(d) they meet at least one of the following requirements:

- * (i) they hold a certificate of qualification issued by a competent provincial or federal authority in the skilled trade occupation specified in the application for a permanent resident visa,
- * (ii) they are in Canada and hold a work permit that is valid on the date on which their application for a permanent resident visa is made and, on the date on which the visa is issued, hold a valid work permit or are authorized to work in Canada under section 186 and
    - * (A) the work permit was issued based on a positive determination made by an officer under subsection 203(1) with respect to their employment with their current employer in a skilled trade occupation and the assessment by the Department of Employment and Social Development on the basis of which the determination was made is not suspended or revoked,
    - * (B) they are working for an employer specified on the work permit,
    - * (C) they have an offer of employment that is for continuous full-time work having a total duration of at least one year after the date on which a permanent resident visa is issued and that is in the skilled

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trade occupation that is specified in the application and is in the same minor group set out in the *National Occupational Classification* as the occupation specified on their work permit, and

- * (D) the offer is made by up to two employers who are specified on the work permit, none of whom is an embassy, high commission or consulate in Canada or an employer who is referred to in subparagraph 200(3)(h)(ii) or (iii),

- * (iii) they are in Canada and hold a work permit that was issued under the circumstances described in paragraph 204(a) or (c) or in section 205 and that is valid on the date on which their application for a permanent resident visa is made and, on the date on which the visa is issued, hold a valid work permit or are authorized to work in Canada under section 186 and
  - * (A) they are working for an employer specified on the work permit,
  - * (B) they have an offer of employment that is for continuous full-time work having a total duration of at least one year after the date on which a permanent resident visa is issued and that is in the skilled trade occupation that is specified in the application and is in the same minor group set out in the *National Occupational Classification* as the occupation specified on their work permit,
  - * (C) the offer is made by up to two employers who are specified on the work permit, none of whom is an embassy, high commission or consulate in Canada or an employer who is referred to in subparagraph 200(3)(h)(ii) or (iii), and
  - * (D) they have accumulated at least one year of full-time work experience, or the equivalent in part-time work, over a continuous period of work for the employers who made the offer,

https://laws.justice.gc.ca/eng/regulations/SO[redacted]html#h-686972